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Attorneys for Plaintiffs
Juan Murillo, Maria Murillo, Martha Jimenez,
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JUAN MURILLO aka JUAN MANUEL
MURILLO; MARIA MURILLO aka
MARIA JUDITH MURILLO; MARTHA
JIMENEZ; AMALIA RIOS aka AMALIA
GALVIN RIOS and MARIA MUÑOZ

Plaintiffs,

vs.

FRANCISCO CERVANTES; TERESA
DIAZ; BOBBY RAY LEE; FIRST
FEDERAL MORTGAGE BANKERS, INC.
dba CITYWIDE PROPERTIES dba
CITYWIDE HOME LOANS dba RAM
CAPITAL CORP; HAROLD BLANCO;
EAGLE LITERACY GROUP, INC.; NEW
CENTURY MORTGAGE CORP.; WELLS
FARGO BANK, N.A.; JPMORGAN
CHASE BANK, N.A. dba CHASE HOME
FINANCE LLC, OCWEN LOAN
SERVICING, LLC and DOES 1-100,

Defendants.

Case No. C07-02199 MEJ

**STIPULATION REGARDING
AMENDMENT TO COMPLAINT
AND TO EXTEND TIME TO FILE
RESPONSIVE PLEADING BY
DEFENDANT CHASE HOME
FINANCE, LLC; ~~PROPOSED~~
ORDER**

STIPULATION REGARDING AMENDMENT TO COMPLAINT AND TO EXTEND TIME TO
FILE RESPONSIVE PLEADING BY DEFENDANT CHASE HOME FINANCE LLC;
~~PROPOSED~~ ORDER
Case No. C07-02199 MEJ

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WHEREAS, on April 20, 2007, plaintiffs Juan Murillo, Maria Murillo, Martha Jiminez, Amalia Rios and Maria Muñoz (“plaintiffs”) filed a Complaint for damages naming, among other defendants, “JPMorgan Chase Bank, N.A. dba Chase Home Finance LLC (“action”);”

WHEREAS, plaintiffs served JPMorgan Chase Bank, N.A. with Summons and Complaint in this action on August 1, 2007;

WHEREAS, a responsive pleading for JPMorgan Chase Bank, N.A. is due on August 21, 2007;

WHEREAS, “Chase Home Finance LLC” (“Chase”) is the correct name for the defendant in this action instead of “JPMorgan Chase Bank, N.A. dba Chase Home Finance LLC;”

WHEREAS, plaintiffs and Chase (collectively referred to as the “parties”) agree that plaintiffs may amend their First Amended Complaint to name “Chase Home Finance LLC” as a defendant in this action instead, and in place, of “JPMorgan Chase Bank, N.A. dba Chase Home Finance LLC” and dismiss without prejudice “JPMorgan Chase Bank, N.A. dba Chase Home Finance LLC” from the action;

WHEREAS, plaintiffs attach hereto as EXHIBIT A, for the court’s review, their proposed Second Amended Complaint for filing with this court solely to amend their First Amended Complaint to name “Chase Home Finance LLC” as a defendant in this action instead, and in place, of “JPMorgan Chase Bank, N.A. dba Chase Home Finance LLC.”

WHEREAS, Chase does not oppose plaintiffs filing a Second Amended Complaint (attached as EXHIBIT A) naming “Chase Home Finance LLC” as a defendant in this action instead, and in place, of “JPMorgan Chase Bank, N.A. dba Chase Home Finance LLC” contemporaneously with this Stipulation and pursuant to a court Order approving such filing;

WHEREAS, the parties agree that plaintiffs shall serve the Summons and Second Amended Complaint filed contemporaneously with this Stipulation and pursuant to subsequent court Order, on Chase and all other named defendant parties in this proceeding, and that Chase shall accept service through its undersigned counsel;

WHEREAS, the parties agree that Chase has until and including September 20, 2007, to

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file a responsive pleading to plaintiffs' Second Amended Complaint (including, but not limited to, a motion to dismiss pursuant to FRCP Rule 12) as filed contemporaneously with this Stipulation and pursuant to this court's approval and subsequent issuance of an Order;

IT IS HEREBY STIPULATED by and between the parties as follows:

1. Plaintiffs shall, pursuant to a Court Order, file a Second Amended Complaint to name "CHASE HOME FINANCE LLC" as a defendant in this action instead, and in place, of "JPMorgan Chase Bank, N.A. dba Chase Home Finance LLC," thus, dismissing without prejudice "JPMorgan Chase Bank, N.A. dba Chase Home Finance LLC" from the action;

2. Chase Home Finance LLC does not oppose plaintiffs filing a Second Amended Complaint naming "Chase Home Finance LLC" as a defendant in this action instead, and in place, of "JPMorgan Chase Bank, N.A. dba Chase Home Finance LLC" contemporaneously with this Stipulation;

3. Plaintiffs shall serve the Summons and Second Amended Complaint filed contemporaneously with this Stipulation on Chase and all other named defendant parties in this proceeding, and Chase shall accept service of these pleadings and all related initial court papers through its undersigned counsel; and

4. Chase shall have until and including September 20, 2007, to file a responsive pleading to plaintiffs' Second Amended Complaint (including, but not limited to, a motion to dismiss pursuant to FRCP Rule 12) which is contemporaneously attached as EXHIBIT A with this Stipulation and shall be filed subject to this court's Order;

Respectfully Submitted,

Dated: August 22, 2007

THE LAW OFFICES OF MATTHEW J. WEBB

By: _____ / S / _____
 HEIDI LI
 Attorneys for Plaintiffs

Dated: August 22, 2007

LAFAYETTE & KUMAGAI LLP

By: _____ / S / _____
 SUSAN T. KUMAGAI
 Attorneys for Defendant
 CHASE HOME FINANCE LLC

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SIGNATURE ATTESTATION

As the attorney efiled this document with the court, I hereby attest that I have on file all
holograph signatures for any and all signatures indicated by a "conformed" signature (/S/) within
this efiled document.

DATED: August 22, 2007

LAW OFFICES OF MATTHEW J. WEBB

By: _____ / S / _____
Heidi Li, Esq.
Attorneys for Plaintiffs
Juan Murillo, Maria Murillo, Martha Jimenez,
Amalia Rios and Maria Muñoz

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[PROPOSED] ORDER

The Court having reviewed the above Stipulation regarding Amendment to Complaint and to Extend Time to File Responsive Pleading by Defendant Chase Home Finance LLC submitted by plaintiffs and defendant Chase, and based upon the foregoing Stipulation, the court's contemporaneous review of plaintiff's proposed Second Amended Complaint attached to the Stipulation as EXHIBIT A, and GOOD CAUSE APPEARING,

1. Plaintiffs shall file contemporaneously and pursuant to the parties' Stipulation above and subject to the court's entry of this Order, a Second Amended Complaint to name "CHASE HOME FINANCE LL" as a defendant in this action instead, and in place, of "JPMorgan Chase Bank, N.A. dba Chase Home Finance LL," thus, dismissing without prejudice "JPMorgan Chase Bank N.A. dba Chase Nome Finance LL" from the action;

2. Plaintiffs shall serve the Summons and Second Amended Complaint filed contemporaneously with this Stipulation on Chase and also all other named defendant parties in this proceeding, and Chase shall accept service of these pleadings and all related initial court papers through its designated counsel; and

3. Chase shall have until and including September 20, 2007, to file a responsive pleading to plaintiffs' Second Amended Complaint (including, but not limited to, a motion to dismiss pursuant to FRCP Rule 12) which is contemporaneously attached as EXHIBIT A with this Stipulation and shall be filed subject to this court's Order;

IT IS SO ORDERED this 27th day of August, 2007.

Honorable _____
United States _____
Magistrate Judge _____

